

**Linda K. Whitney**  
**Executive Director**

1 KAMALA D. HARRIS, Attorney General  
of the State of California  
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Attorneys for Complainant  
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8 **BEFORE THE**  
9 **MEDICAL BOARD OF CALIFORNIA**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 **In the Matter of the Accusation Against:**

13 **PETER L. GROSSMAN, M.D.**

14  
15 Physician's and Surgeon's Certificate No. G32982  
16

Case No.: 03-2011-217135

**STIPULATED SURRENDER OF  
LICENSE**

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
18 proceeding that the following matters are true:

19 1. Linda K. Whitney (Complainant) is the Executive Director of the Medical  
20 Board of California. This action has at all times been maintained solely in the official capacity of  
21 the Executive Director of the Medical Board of California, who is represented by Kamala D.  
22 Harris, Attorney General of the State of California, by Jane Zack Simon, Deputy Attorney  
23 General.

24 2. Peter L. Grossman, M.D. (Respondent) is represented in this proceeding by  
25 Edward A. Hinshaw of Hinshaw, Marsh, Still & Hinshaw, 12901 Saratoga Avenue, Saratoga, CA  
26 95070.

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1           3.       Respondent has received, read, discussed with counsel and understands the  
2       Accusation which is presently on file and pending in case number 03-2011-217135 (the  
3       "Accusation") a copy of which is attached as Exhibit A.

4           4.       Respondent has carefully read, discussed with counsel and understands the  
5       charges and allegations in the Accusation. Respondent also has carefully read, discussed with  
6       counsel, and understands the effects of this Stipulated Surrender of License.

7           5.       Respondent is fully aware of his legal rights in this matter, including the  
8       right to a hearing on the charges and allegations in the Accusation; the right to be represented by  
9       counsel, at his own expense; the right to confront and cross-examine the witnesses against him;  
10      the right to present evidence and to testify on his own behalf; the right to the issuance of  
11      subpoenas to compel the attendance of witnesses and the production of documents; the right to  
12      reconsideration and court review of an adverse decision; and all other rights accorded by the  
13      California Administrative Procedure Act and other applicable laws.

14          6.       Respondent voluntarily, knowingly, and intelligently waives and gives up  
15      each and every right set forth above.

16          7.       Respondent agrees that the Board has jurisdiction and cause to take action  
17      against his physician's and surgeon's certificate by virtue of the allegations set forth in the  
18      Accusation and pursuant to Business and Professions Code §822. Respondent has retired from  
19      the practice of medicine and wishes to surrender his California license.

20          8.       Pursuant to section 2224(b) of the Business and Professions Code, this  
21      Stipulation for Surrender of License shall be subject to the approval of the Board. Respondent  
22      understands and agrees that the Medical Board's staff and counsel for Complainant may  
23      communicate directly with the Board regarding this Stipulation for Surrender of License, without  
24      notice to or participation by Respondent or his counsel. By signing this Stipulation for Surrender  
25      of License, Respondent understands and agrees that he may not withdraw her agreement or seek  
26      to rescind the Stipulation prior to the time the Board considers and acts upon it. In the event that  
27      this Stipulation is rejected for any reason by the Board, it will be of no force or effect for either  
28      party. The Board will not be disqualified from further action in this matter by virtue of its

1 consideration of this Stipulation.

2 9. Upon acceptance of this Stipulation for Surrender of License by the Board,  
3 Respondent understands that he will no longer be permitted to practice as a physician and surgeon  
4 in California, and also agrees to surrender and cause to be delivered to the Board any license and  
5 wallet certificate in his possession before the effective date of the decision.

6 10. The admissions made by Respondent herein are only for the purposes of  
7 this proceeding, or any other proceedings in which the Medical Board or other professional  
8 licensing agency is involved, and shall not be admissible in any other criminal or civil  
9 proceeding.

10 11. Respondent fully understands and agrees that if he ever files an application  
11 for relicensure or reinstatement in the State of California, the Board shall treat it as a petition for  
12 reinstatement, and Respondent must comply with all laws, regulations and procedures for  
13 reinstatement of a revoked license in effect at the time the petition is filed.

14 12. Respondent understands that because this surrender of license is based on  
15 Section 822 of the Code, he may not petition for reinstatement as a physician and surgeon for a  
16 period of one (1) year from the effective date of his surrender. Information gathered in  
17 connection with Accusation number 03-2011-217135 may be considered by the Board in  
18 determining whether or not to grant the petition for reinstatement. For the purposes of the  
19 reinstatement hearing, the allegations in Accusation number 03-2011-217135 shall be deemed to  
20 be admitted by Respondent, and Respondent waives any and all defenses based on a claim of  
21 laches or the statute of limitations.

22 13. The parties understand and agree that facsimile or electronic copies of this  
23 Stipulated Surrender of License, including facsimile or electronic signatures thereto, shall have  
24 the same force and effect as the originals.

#### 25 ACCEPTANCE

26 I have carefully read the above Stipulated Surrender of License. I enter into it  
27 freely and voluntarily and with full knowledge of its force and effect, do hereby surrender my  
28 Physician's and Surgeon's Certificate Number G32982 to the Medical Board of California, for its

1 formal acceptance. By signing this Stipulation to surrender my license, I recognize that upon its  
2 formal acceptance by the Board, I will lose all rights and privileges to practice as a physician and  
3 surgeon in the State of California and I also will cause to be delivered to the Board any license  
4 and wallet certificate in my possession before the effective date of the decision.


5 DATED: 30 May 2012

6   
7 **PETER L. GROSSMAN, M.D.**  
8 *Respondent*

9 **APPROVAL**

10 I have fully discussed with Respondent Peter L. Grossman, M.D. the terms and  
11 conditions and other matters contained in the above Stipulated Surrender of License and approve  
12 its form and content.

13 DATED: May 21 2012

14   
15 **EDWARD A. HINSHAW**  
16 Hinshaw, Marsh, Still & Hinshaw  
17 *Attorneys for Respondent*

18 **ENDORSEMENT**

19 The foregoing Stipulated Surrender of License is hereby respectfully submitted for  
20 consideration by the Medical Board of California.

21 DATED: 6/1/2012

22 **KAMALA D. HARRIS., Attorney General**  
23 of the State of California

24   
25 **JANE ZACK SIMON**  
26 Deputy Attorney General

27 *Attorneys for Complainant*

## **Exhibit A**

## Exhibit A

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 JOSE R. GUERRERO  
Supervising Deputy Attorney General  
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Deputy Attorney General [SBN 116564]  
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6 E-mail: [Janezack.simon@doj.ca.gov](mailto:Janezack.simon@doj.ca.gov)

7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **MEDICAL BOARD OF CALIFORNIA**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 03-2011-217135

13 **PETER L. GROSSMAN, M.D.**  
50 S. San Mateo Drive, #370  
San Mateo, CA 94401

**ACCUSATION**

14 Physician's and Surgeon's Certificate No. G32982

15 Respondent.

16  
17  
18 Complainant alleges:

19 **PARTIES**

- 20 1. Linda K. Whitney (Complainant) brings this Accusation solely in her official capacity  
21 as the Executive Director of the Medical Board of California, Department of Consumer Affairs.  
22 2. On September 13, 1976, the Medical Board of California (Board) issued Physician's  
23 and Surgeon's Certificate G32982 to Peter L. Grossman, M.D. (Respondent.) The certificate is  
24 renewed and current and, unless renewed will expire on December 31, 2012.  
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FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO MAY 18, 2012  
BY [Signature] ANALYST



**JURISDICTION**

3. This Accusation is brought before the Medical Board of California<sup>1</sup>, under the authority of the following laws. All references are to the Business and Professions Code unless otherwise specified.

4. Section 2227 of the Business and Professions Code authorizes the Board to take action against a licensee by revoking, suspending for a period not to exceed one year, placing the license on probation and requiring payment of costs of probation monitoring, or taking such other action taken as the Board deems proper.

5. Section 822 provides that if a licensing agency determines that a licensee's ability to practice his or her profession safely is impaired because of mental or physical illness affecting competency, the licensing agency may take action by revoking the licensee's certificate or license, suspending the licensee's right to practice, placing the licensee on probation or taking such other action in relation to the licensee as the licensing agency in its discretion deems proper.

**FACTS**

6. In July, 2011 the Board received a complaint regarding Respondent, a 66 year old physician specializing in Internal Medicine. The complaint alleged that Respondent failed to properly diagnose, evaluate and treat an elderly patient between April and June, 2011.

7. In June, 2011, Respondent sought a neurological evaluation after he noticed that he was having difficulty with his memory. Between June, 2011 and the present time, Respondent has been evaluated by three neurologists who concur that he suffers from a mild cognitive impairment involving both memory and executive function. Respondent has been advised that his impairment is severe enough that he should not practice medicine, and he retired from practice in or about November, 2011.

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<sup>1</sup>The terms "Board," "Division of Medical Quality" and "Division" mean the Medical Board of California.

8. Respondent's license is subject to Board action pursuant to Sections 822 and 2227 of the Code in that Respondent is impaired in his ability to safely practice medicine by virtue of physical illness affecting competency.

## PRAYER

WHEREFORE, Complainant prays that a hearing be held and that the Board issue an order:

1. Revoking or suspending physician and surgeon certificate number G32982, issued to Peter L. Grossman, M.D.;
2. Prohibiting Peter L. Grossman, M.D., from supervising a physician's assistant;
3. Ordering Peter L. Grossman, M.D., if placed on probation, to pay the costs of probation monitoring;
4. Taking such other and further action as may be deemed proper and appropriate.

DATED:

5/18/2012

LINDA K. WHITNEY  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California

Complainant